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NEW YORK TIMES
9 April 1987

WEBSTER PLEDGES TO AVOID POLITICS

Nominee to Head C.I.A. Says
He Won't Be in Cabinet —
Issue of North Memo

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Special to The New York Times

WASHINGTON, April 8 — William H. Webster, who has been nominated to be Director of Central Intelligence, said today that he would try to stay out of politics in that post and would not be a member of the Cabinet.

Mr. Webster, in hearings on his confirmation before the Senate Intelligence Committee, also pledged that he would resign if he found himself in sharp disagreement with the President over a covert operation like the arms sales to Iran.

Mr. Webster, 63 years old, drew warm praise from several senators for his nine years as director of the Federal Bureau of Investigation. He appears likely to be confirmed by the Senate committee after the Easter recess.

Questions About a Memo

But Mr. Webster was also closely questioned over a memorandum last October that warned him that "certain information" should not be passed on by the F.B.I. to Lieut. Col. Oliver L. North at the National Security Council because of concern that Colonel North "might be involved in a future criminal probe by a special prosecutor," according to Mr. Webster.

The memorandum said the investigation would have involved "United States activities in Central America," Mr. Webster said.

Senator Arlen Specter, Republican of Pennsylvania, said that the memorandum constituted a "serious matter" and that it should have set off "danger signals" for Mr. Webster.

Senator Specter said the memorandum was important because it indicated that someone in the Justice Department already had doubts about the conduct of Colonel North three weeks before his role in the diversion of funds from the Iranian arms sales to the resupply operation for the Nicaraguan rebels was disclosed on Nov. 25 by Attorney General Edwin Meese 3d.

But Mr. Webster said that the warning was only speculative and that it was based on information in the press. Mr. Webster acknowledged that his initials were "scrawled" on the memorandum, but he said he could not remember reading it.

Will Stay Out of Politics

Mr. Webster said that he would stay out of politics in his new job and that he would not be a member of the Cabinet, as was his predecessor, William J. Casey, who resigned in January after undergoing surgery to remove a cancerous brain tumor.

Mr. Webster said that "the most important thing the C.I.A. does is to gather intelligence" and that the Director should not get involved in policy making.

He said that he had recently talked with President Reagan and that they had agreed that, unlike Mr. Casey, he should not be a member of the Cabinet, thus lessening the chance of his being seen as a member of the Administration.

Pressed by several senators on what he would do if he found himself in disagreement with the President over a covert operation where the President had not notified Congress, Mr. Webster said, "I would have to leave."

A Justice Department spokesman said today that the memorandum involving Colonel North, dated Oct. 30, 1986, was most likely an account by an F.B.I. agent of a conversation the agent had had with the Justice Department official who oversees the making public of previously secret information.

The memorandum warned that "certain information" should not be given to Colonel North by the F.B.I. because of the possible criminal investigation, which it said would involve "United States activities in Central America."

Doubts Before Disclosures

Several senators said the North memorandum raised serious questions because it demonstrated that someone in the Justice Department had doubts about Colonel North's conduct almost four weeks before the public disclosure by Attorney General Edwin Meese 3d on Nov. 25 of the arms sales to Iran.

A spokesman for the Justice Department, Terry Eastland, said the memorandum was not written by anyone in the department.

He said that "if there was a memo, it would have been an informational note," and that it would have come from an F.B.I. agent who consulted with Mary C. Lawton, counsel of the department's office of Intelligence Policy and Review, about a request from Colonel North for classified information.

Mr. Eastland said the agent discussed the request with Ms. Lawton because bureau guidelines bar giving secret information to the White House, including the National Security Council, without the permission of the Attorney General. Ms. Lawton handles such questions for Mr. Meese.

Mr. Eastland said Ms. Lawton advised against giving the classified information to Colonel North based on news accounts she had read. The news accounts indicated that the department was examining the need for a special prosecutor to investigate whether Administration officials had violated the law in aiding the rebels in Nicaragua, known as contras.

The news accounts said the department was reviewing the issue at the request of Democrats on the House Judiciary Committee. Mr. Eastland said today that the Democrats' written request that Mr. Meese seek a special prosecutor specifically named Colonel North among others.

In response to a further question from Senator Specter about why he had not acted on the memorandum, Mr. Webster said: "It was an informational memo and speculative comment. It was not taken seriously by anyone else and I received no further information about it. So I can't remember it."